



NESBITT MEMORIAL LIBRARY

In the Matter of)
)
Requests for Waiver and appeal of)
Decisions of the)
Universal Service Administrator by)
)
Nesbitt Memorial Library (City of Columbus))
)
Schools and Libraries Universal Service)
Support Mechanism)
)

CC Docket No. 02-6

Marlene H. Dortch, Secretary
Federal Communications Commission
445 12th Street SW
Washington, DC 20554

April 29, 2019

Request for Waiver of the FCC Form 471 Filing Deadline for Funding Year 2019
RE: FCC Form 471 Number:191022561; Billed Entity Number: 16084031

Nesbitt Memorial Library (City of Columbus) respectfully requests a waiver of the Funding Year 2019 Form 471 deadline for application 191022561 based on technical problems.

Nesbitt Memorial Library is a rural library serving a population of around 21,000 people. Beginning in 2018, the library began filing for E-rate discounts after a hiatus of around 16 years. Proceeding with caution, the library knew that the opportunities available to them for bandwidth were not robust, and the opportunities that were available were quite expensive.

The library filed a 2019 Form 470 in a timely manner. The bandwidth represented on the Form 470 was not inclusive of the library's bandwidth needs because the librarian did not think she could afford to pay for it. When the librarian realized that she could get the bandwidth needed she filed a new Form 470 for the bandwidth she needed. Unfortunately, the allowable contract date for the new Form 470 was outside the E-rate filing window deadline. The librarian received

a responsive bid for the new Form 470 and filed a new Form 471 within two weeks of the window close on April 5, 2019. Shortly thereafter, the librarian's computer was struck with a ransomware virus that wiped out her computer and all of her backups.

In the Academy for Excellence Order released March 9, 2007 the FCC granted Requests for Waiver of the Form 471 filing deadline for applicants who missed the filing deadline due to circumstances beyond the applicant's control such as personal circumstances, illness of staff or illness of family members of staff. Other circumstances validated by the FCC in this order include unclear and vague instructions for filing the Form 471, and technical problems.

In the Bishop Perry Order, the Commission found that a slight delay in USAC's receipt of the applications did not warrant complete rejection of the application.

The above mentioned application was submitted and certified within two weeks of the filing deadline for applicants. In previous years, applications submitted and certified within two weeks of the filing window were viewed by the FCC as meeting the definition of "slight delay" as referenced in the Bishop Perry Order above.

We acknowledge the Commission's concern and emphasis on retaining discretion to evaluate each situation on a case-by-case basis and respectfully request your consideration of our request.

Sincerely,

A handwritten signature in dark ink that reads "Susan Chandler". The signature is fluid and cursive, with a long horizontal line extending from the end of the name.

Susan Chandler
Director
Nesbitt Memorial Library